



10/08856974  
Rec'd PTO 13 AUG 2002

# Sim & McBurney

Patent and Trade Mark Agents

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Our ref. 1038-1226 MIS:jb

Your ref.

Writer's Ext. 239

E-mail: [mistewart@sim-mcburney.com](mailto:mistewart@sim-mcburney.com)

August 12, 2002

Via Courier

The Commissioner of Patents  
and Trademarks  
Box Missing Parts  
Washington, DC 20231  
U.S.A.

Dear Sir:

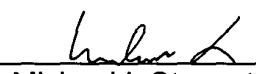
**RE: US Application No: 10/088,569  
Applicant: Robert C. Brunham  
International Filing Date: September 21, 2000  
Title: DNA IMMUNIZATION AGAINST CHLAMYDIA INFECTION**

In response to your Notification of Missing Requirements dated June 27, 2002, submitted herewith are:

1. Declaration and Power of Attorney duly executed by the inventor
2. Cheque in respect of Surcharge Fee
3. Copy of Notice

It is submitted that the Missing Requirements now have been met.

Yours very truly,

  
Michael I. Stewart  
Reg. No. 24,973

Enclosure(s)

330 University Avenue  
6th floor  
Toronto, Canada  
M5G 1R7  
Telephone (416) 595-1155  
Fax (416) 595-1163

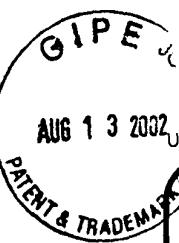
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AUG 13 2002



# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT \$130.00

## Complete if Known

Application Number	10/088,569
Filing Date	
First Named Inventor	Robert C. Brunham
Examiner Name	
Group Art Unit	
Attorney Docket No.	1038-1226 MIS

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																																							
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ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>Fee Code</td><td>Fee Code (\$)</td><td>Fee Description</td><td></td></tr> <tr><td>105</td><td>130</td><td>205 65 Surcharge - late filing fee or oath</td><td>130.00</td></tr> <tr><td>127</td><td>50</td><td>227 25 Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139 130 Non - English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147 2,520 For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112 920* Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113 1,840* Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215 55 Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216 200 Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217 460 Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218 720 Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228 980 Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219 160 Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220 160 Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221 140 Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138 1,510 Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240 55 Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241 640 Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242 640 Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243 230 Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244 310 Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122 130 Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123 50 Processing fee under 37 CFR § 1.17(q)</td><td></td></tr> <tr><td>126</td><td>180</td><td>126 180 Submission of Information Disclosure Statement</td><td></td></tr> <tr><td>581</td><td>40</td><td>581 40 Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>246 370 Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249 370 For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>740</td><td>279 370 Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169 900 Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="4">Other fee (specify) _____</td></tr> <tr> <td colspan="4">SUBTOTAL (1) <input type="text"/></td> <td colspan="4">SUBTOTAL (3) <input type="text"/> \$130.00</td> </tr> <tr> <td colspan="8"> <small>*Reduced by Basic Filing Fee Paid</small> </td> </tr> <tr> <td colspan="8"> <small>or number previously paid, if greater; 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SUBMITTED BY				Complete (if applicable)																																																																																																																																																							
Name (Print/Type)	Michael J. Stewart	Registration No. (Attorney/Agent)	24,973	Telephone	(416) 595-1155																																																																																																																																																						
Signature		Date	August 12, 2002																																																																																																																																																								

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DT05 Re 1 PCT/PTO 13 AUG 2002

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application	10/088,569
		Filing Date	
		First Named	Robert C. Brunham
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	8	Attorney Docket Number	1038-1226 MIS

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Covering Letter Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael I. Stewart (Reg. No. 24,973)
Signature	
Date	August 12, 2002

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name		
Signature	Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

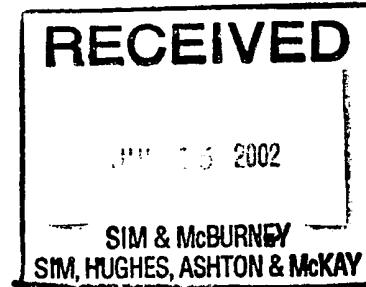
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/088,569	Robert C Brunham	1038-1226 MIS:jb
		INTERNATIONAL APPLICATION NO.
		PCT/CA00/01097
		I.A. FILING DATE
		PRIORITY DATE
		09/21/2000      09/22/1999
CONFIRMATION NO. 4846		
371 FORMALITIES LETTER		
 *OC00000008350199*		

Date Mailed: 06/27/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

of 37 CFR 1.136(a).

Additionally the following defects have been observed:

- Additional claim fees of **\$36** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$166** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$36**
  - **\$36** for 3 total claims over 20.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

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Telephone: (703) 305-3734

PART 1 - ATTORNEY/APPLICANT COPY

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/088,569	PCT/CA00/01097	1038-1226 MIS:jb

FORM PCT/DO/EO/905 (371 Formalities Notice)